

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13047, of Horning Brothers, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the prohibition against allowing a parking space less than three feet from a side lot line (Sub-paragraph 7502.122) and within ten feet of a dwelling (Paragraph 7205.21) for the relocation of required off-street parking serving single family dwellings in an R-2 District at the premises 1511 and 1513 Gallatin Street, N.E., (Square 3977, Lots 130 and 131) and premises 1512 through 1532 Gallatin Place, N.E. (Square 3977, Lots 117-127).

HEARING DATE: September 19, 1979

DECISION DATE: September 19, 1979 (Bench Decision)

FINDINGS OF FACT:

1. The subject lots 130 and 131 are known as 1511 and 1513 Gallatin Street, N.E. The subject lots 117 through 127 are known as 1512 through 1532 Gallatin Place, N.E. The subject site is in an R-2 District.
2. The applicant is constructing thirty-two three and four bedroom semi-detached dwellings. The original plans were approved for zoning purposes on February 3, 1979 with parking proposed in the rear yards.
3. The applicant now proposes to relocate the required off-street parking on thirteen of the sites to the side yards. The premises 1511 and 1513 Gallatin Street, N.E. and premises 1512 through 1532 Gallatin Place, N.E. require a seven foot variance from the Zoning Regulations requirements that a parking space not be located within ten feet of a dwelling. The proposed parking spaces are located three feet from the dwellings.
4. At the premises 1526, 1528 and 1532 Gallatin Place, N.E. the parking spaces would be located one foot from the side lot line and would require a two foot variance. The premises 1530 Gallatin Place, N.E. requires a three foot variance from the prohibition against allowing a parking space less than three feet from a side lot line, since the spaces would abut the side lot line.

5. The rear yards of the lots involved slope sharply up from the back of the subject dwellings. The parking spaces as originally proposed would have extended thirty feet beyond the rear of the houses, in order to have a twenty foot space with a ten foot distance from the house. That location would have required substantial cutting into the grade of the hill and the construction of substantial retaining walls as well. It further would have reduced the usable area of the rear yard, and would have necessitated the removal of many large, mature, trees.

6. The four houses which require a variance related to the side lot line are located on a curving portion of Gallatin Place. These four lots are narrower at the front than at the rear, and the parking spaces are within three feet of the lot line only at the front.

7. There was no opposition to the application.

8. Advisory Neighborhood Commission - 5A made no recommendation on the application.

CONCLUSIONS OF LAW:

Based on the record, the Board concludes that the applicant is seeking area variances, the granting of which requires a showing of a practical difficulty stemming from the property itself. The Board concludes that the grade conditions at the rear of the subject lots generating steep banks create the practical difficulty. Further, the shape and location of four of the lots on the curving portion of Gallatin Place creates a difficulty for those lots as well. The Board further concludes that the variances can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 3-0 (Walter B. Lewis, Charles R. Norris and William F. McIntosh to GRANT; Chloethiel Woodard Smith and Leonard L. McCants not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
\_\_\_\_\_  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 16 NOV 1979

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.